

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

NIPPON SHINYAKU CO., LTD.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 21-1015 (GBW)
)	
SAREPTA THERAPEUTICS, INC.,)	
)	
Defendant.)	
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SAREPTA THERAPEUTICS, INC.,)	
)	
Defendant and Counter-Plaintiff,)	
)	
v.)	
)	
NIPPON SHINYAKU CO., LTD.)	
and NS PHARMA, INC.)	
)	
Plaintiff and Counter-)	
Defendants.)	

**JOINT APPENDIX IN SUPPORT OF THE
JOINT CLAIM CONSTRUCTION BRIEF FOR THE NS PATENTS**

VOLUME 1 OF 3

Ex. No.	Description
1	U.S. Patent No. 9,708,361
2	U.S. Patent No. 10,683,322
3	Prosecution History Excerpt of U.S. Patent No. 9,708,361
4	Alberts et al., <i>Molecular Biology of the Cell</i> 191-234, 299-374 (4th ed. 2002) (“Alberts 2002”)
5	Chan et al., “Antisense Oligonucleotides: From Design to Therapeutic Application,” <i>Clin. Exp. Pharmacol. Physiol.</i> (2006) 33(5-6): 533-540 (“Chan 2006”)
6	Moulton et al., “Gene Knockdowns in Adult Animals: PPMOs and Vivo-Morpholinos,” <i>Molecules</i> (2009) 14(3): 1304-1323 (“Moulton 2009”)

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7	Pon, “Solid-Phase Supports for Oligonucleotide Synthesis,” <i>Curr. Protoc. Nucleic Acid Chem.</i> (2000) 00(1): 3.1.1.-3.1.28 (“Pon 2000”)
8	Summerton et al., “Morpholino Antisense Oligomers: Design, Preparation, and Properties,” <i>Antisense Nucleic Acid Drug Dev.</i> (1997) 7(3): 187-195 (“Summerton 1997”)
9	Summerton, “Morpholinos and PNAs Compared,” <i>Lett. Pept. Sci.</i> (2003) 10: 215-236 (“Summerton 2003”)
10	Collins English Dictionary, 11th ed. (2011)
11	Vyondys 53 [®] (Golodirsén) Prescribing Information (Revised: 2/2021)
12	Ltr. from Mr. Miller dated Jan. 1, 2023
13	Comprehensive Organic Synthesis, 2nd ed. (2014) Vol. 2, pp. 273-339
14	Declaration of Bradley L. Pentelute Ph.D. dated February 5, 2023
15	Declaration of Nathan W. Luedtke, Ph.D. dated February 27, 2023
16	Flickinger et al., “Spatial Photorelease of Oligonucleotides, Using a Safety-Catch Photolabile Linker” <i>Organic Letters</i> , Vol. 8, No. 11 2357-2360 (2006)
17	Weichert, F., “Topic: Safety-Catch Linker (SCAL)”
18	Ti et al., “Transient Protection: Efficient One-Flask Syntheses of Protected Deoxynucleosides,” <i>J. Am. Chem. Soc.</i> , 104, 1316-1319 (1982)
19	MacCoss, et al., “Facile detriylation of nucleoside derivatives by using trifluoroacetic acid”
20	Reply Declaration of Dr. Bradley L. Pentelute

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21	U.S. Patent No. 10,385,092
22	U.S. Patent No. 10,407,461
23	U.S. Patent No. 10,487,106
24	U.S. Patent No. 10,647,741
25	U.S. Patent No. 10,662,217

Dated: March 20, 2023

Respectfully submitted,

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

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Nippon Shinyaku Co., Ltd. and Counterclaim
Defendant NS Pharma, Inc.*

CERTIFICATE OF SERVICE

I, Amy M. Dudash, an attorney certify that on March 20, 2023, a true and correct copy of the foregoing document was filed and served on all counsel of record via CM/ECF.

/s/ Amy M. Dudash

Amy M. Dudash (DE Bar No. 5741)